

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JACOB SMITH,
Plaintiff,

v.

Case No. 2:20-cv-3755
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

FIRSTENERGY CORP. AND
FIRSTENERGY SERVICE CO.,
Defendants.

BRIAN HUOCK AND CAMEO
COUNTERTOPS, INC.,
Plaintiff,

v.

Case No. 2:20-cv-3954
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

FIRSTENERGY CORP., et al.,
Defendants,

JAMES BULDAS,
Plaintiff,

v.

Case No. 2:20-cv-3987
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

FIRSTENERGY CORP., et al.,
Defendants.

ORDER APPROVING DISTRIBUTION OF SETTLEMENT FUNDS

This matter is before the Court on the unopposed Motion to Authorize Distribution of Settlement Funds, which for good cause shown is hereby **GRANTED**. (ECF No. 170.) The Court hereby orders as follows:

(1) payment to the Settlement Administrator, A.B. Data, Ltd., in the amount of \$15,724.51 is hereby authorized, along with the creation of a reserve of \$523,749 to

pay for A.B. Data's estimated fees and expenses going forward. The balance of the remaining settlement funds are to be distributed as follows:

- a. Settlement Class Members' whose payments calculate to less than \$1.00 will be paid \$1.00;
- b. the remaining net proceeds of the Settlement Funds will be allocated on a *pro rata* basis to eligible Settlement Class Members in accordance with the Plan of Allocation approved by the Court;
- c. A.B. Data will coordinate issuing digital payments to Settlement Class Members whose payments are from \$1.00 up to \$250.00 and have a valid email address;
- d. A.B. Data will coordinate issuing physical debit cards to Settlement Class Members whose payments are from \$1.00 up to \$250.00 and do not have a valid email address;
- e. A.B. Data will coordinate issuing physical checks to Settlement Class Members whose payments are greater than \$250.00. The checks will have a stale date of 120 days to encourage Settlement Class Members to promptly cash their distribution checks and to avoid or reduce future expenses related to unpaid distributions;
- f. in the event that a payment to a Settlement Class Members is undeliverable whether by mail or email, a second attempt will be made to reissue the payment to the Settlement Class Member;
- g. if there is a balance remaining in the Settlement Funds after reasonable efforts to have Settlement Class Members negotiate their payment, and at least 180 days from the date of the initial distribution have elapsed, and after any additional taxes, costs, and administration fees, A.B. Data will, in consultation with Class Counsel, conduct a second distribution if feasible and economical. A.B. Data will redistribute the remaining funds, along with any remaining balance of the reserve on a *pro rata* basis after reserving any additional taxes, costs, and administration fees, to Settlement Class Members who negotiated their initial payments and who would receive at least \$25.00 from such redistribution; and

(2) Following the second distribution, Plaintiffs' counsel are ordered to contact the Court regarding a Cy Pres distribution of the balance of any funds.

This case **REMAINS CLOSED**.

IT IS SO ORDERED.

8/21/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE